

**MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS**

INITIAL STATEMENT OF REASONS

Hearing Date: Friday, May 9, 2003

Subject Matter of Proposed Regulations: Continuing Education for Licensed Midwives

Section Affected: Title 16, California Code of Regulations section 1379.26

Specific Purpose of each adoption, amendment, or repeal:

The proposed amendment will expand the list of approved continuing education programs to include courses offered by a provider approved by the California Board of Registered Nursing or the board of registered nursing of another state in the United States.

Factual Basis

Business and Professions Code section 2518(a), states in part, "Licenses issued pursuant to this article shall be renewable every two years upon payment of the fee prescribed by Section 2520 and submission of documentation that the licenseholder has completed 36 hours of continuing education in areas that fall within the scope of the practice of midwifery, as specified by the board."

Title 16, CCR section 1379.27, states, in part, "Those courses and programs referred to in section 1379.26 above shall meet the following criteria in order to be acceptable to the division;" it then goes on to address the faculty, rationale, course content, educational objectives, method of instruction, evaluation, and attendance.

Title 16, CCR section 1379.28, states in part, "The division shall audit once every two years a random sample of midwives who have reported compliance with the continuing education requirement...Those midwives selected for audit shall be required to document their compliance with the continuing education requirements of Section 2518 of the code and this article."

Course providers approved by the California Board of Registered Nursing or the board of registered nursing of another state in the United States are required to verify that the continuing education courses are related to scientific knowledge or technical skills or related to direct and/or indirect patient care. Currently, these courses are not acceptable toward meeting the continuing education requirements because state boards of registered nursing are not a part of the approved providers listed in section 1379.26 of the California Code of Regulations.

This proposal to include the California Board of Registered Nursing courses as well as the state boards of registered nursing courses for any state in section 1379.26 which would benefit Licensed Midwives by allowing continuing education credit for courses that are already available.

Underlying Data

Technical, theoretical or empirical studies or reports relied upon (if any): None

Business Impact

This regulation will not have a significant adverse economic impact on businesses.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

The only other alternative to this proposal is not to amend section 1379.26. However, this is not a reasonable or feasible alternative, considering the benefits offered and gained by setting forth a regulation which expands the opportunities available to Licensed Midwives as necessary to satisfy the educational requirements of relicensure.